

# DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

## READY TO BAKE REFRIGERATED OR FROZEN SWEET DOUGH

and for which a patent application is attached hereto and is identified as PENNIE & EDMONDS LLP Docket No. 8265-314.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
PCT/EP97/07190	PCT	17/12/97	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
96203630.7	EP	19/12/96	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
PCT/EP97/07190	December 17, 1997			X
PCT/EP98/03848	June 24, 1998		X	
PCT/EP99/05821	August 9, 1999			
09/130,117	August 6, 1998	X		
09/433,557	November 4, 1999		X	
09/ 502,447	February 11, 1999		X	

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), William S. Galliani (Reg. No. 33885), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), and Alan Tenenbaum (Reg. No. 34939), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE  
TO: CUSTOMER NO. 20583

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, N.Y. 10036-2711

DIRECT TELEPHONE CALLS TO:  
PENNIE & EDMONDS LLP DOCKETING  
(212) 790-2803

201	FULL NAME OF INVENTOR	LAST NAME <b>BLASCHKE</b>	FIRST NAME <b>DIETER</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY La Tour-De-Peilz	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Avenue de Sully 29	CITY La Tour-De-Peilz	STATE OR COUNTRY Switzerland	ZIP CODE CH-1814
202	FULL NAME OF INVENTOR	LAST NAME <b>NAIRN</b>	FIRST NAME <b>PETER</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY St-Legier	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP Switzerland	
	POST OFFICE ADDRESS	STREET Chemin Arberiat 2A	CITY St-Legier	STATE OR COUNTRY Switzerland	ZIP CODE CH-1806
203	FULL NAME OF INVENTOR	LAST NAME <b>MARTIN</b>	FIRST NAME <b>MERRIE</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY New Milford	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 212 Kent Road	CITY New Milford	STATE OR COUNTRY Connecticut	ZIP CODE 06776
204	FULL NAME OF INVENTOR	LAST NAME <b>SCOVILLE</b>	FIRST NAME <b>EUGENE</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY New Milford	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 29 Cornwall Drive	CITY New Milford	STATE OR COUNTRY Connecticut	ZIP CODE 06776
205	FULL NAME OF INVENTOR	LAST NAME <b>CRAMER</b>	FIRST NAME <b>JENNIFER</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY New Milford	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 15 Fordyce Heights	CITY New Milford	STATE OR COUNTRY Connecticut	ZIP CODE 06776
206	FULL NAME OF INVENTOR	LAST NAME <b>FUCHS</b>	FIRST NAME <b>KARL</b>	MIDDLE NAME <b>CHRISTIAN</b>	
	RESIDENCE & CITIZENSHIP	CITY Gaylordsville	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 7 Old Stagecoach Road	CITY Gaylordsville	STATE OR COUNTRY Connecticut	ZIP CODE 06755

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 <i>Dieter Blaschke</i>	SIGNATURE OF INVENTOR 202 <i>Peter Nairn</i>	SIGNATURE OF INVENTOR 203
DATE 6 April 2000	DATE April 6th, 2000	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

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	RESIDENCE & CITIZENSHIP	CITY St-Legier	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP Switzerland	
	POST OFFICE ADDRESS	STREET Chemin Arberiat 2A	CITY St-Legier	STATE OR COUNTRY Switzerland	ZIP CODE CH-1806
2 0 3	FULL NAME OF INVENTOR	LAST NAME <b>MARTIN</b>	FIRST NAME <b>MERRIE</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY New Milford	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
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	RESIDENCE & CITIZENSHIP	CITY New Milford	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 29 Cornwall Drive	CITY New Milford	STATE OR COUNTRY Connecticut	ZIP CODE 06776
2 0 5	FULL NAME OF INVENTOR	LAST NAME <b>CRAMER</b>	FIRST NAME <b>JENNIFER</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY New Milford	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
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2 0 6	FULL NAME OF INVENTOR	LAST NAME <b>FUCHS</b>	FIRST NAME <b>KARL</b>	MIDDLE NAME <b>CHRISTIAN</b>	
	RESIDENCE & CITIZENSHIP	CITY Gaylordsville	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 7 Old Stagecoach Road	CITY Gaylordsville	STATE OR COUNTRY Connecticut	ZIP CODE 06755

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SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE	DATE	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: BLASCHKE et al.

Application No.: 09/453,914

Group Art Unit: 1761

Filed: April 25, 2000

Examiner: T. Tran Lien

For: READY TO BAKE REFRIGERATED OR  
FROZEN SWEET DOUGH

Attorney Docket No.: 88265-314

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Allan A. Fanucci (Reg. No. 30,256) of WINSTON & STRAWN (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Please direct all correspondence for this application to Customer No. 28765 to the attention of Allan A. Fanucci (telephone (212) 294-3311, facsimile (212) 294-4700).

An assignment of the entire interest in the above-identified subject application was recorded on April 26, 2000 at Reel/Frame 10762/0780 in the parent application no... The undersigned has reviewed this assignment and, to the best of his knowledge, title is in the assignee seeking to take action in this application and that he is empowered to act on its behalf.

NESTEC SA

Signature:



Typed Name:

Roman Vuille, Ph.D.

Position/Title:

Assistant Vice-President

Address:

Avenue Nestle 55

CH-1800 Vevey, Switzerland

Date:

May 31, 2001